

1-1 By: Toth, et al. (Senate Sponsor - Creighton) H.B. No. 1495
 1-2 (In the Senate - Received from the House May 8, 2019;
 1-3 May 10, 2019, read first time and referred to Committee on State
 1-4 Affairs; May 19, 2019, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 19, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Huffman	X			
1-8 Hughes	X			
1-9 Birdwell	X			
1-10 Creighton	X			
1-11 Fallon	X			
1-12 Hall			X	
1-13 Lucio	X			
1-14 Nelson	X			
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to authorization for the creation of a county ethics
 1-20 commission in certain counties and to authorizing counties to adopt
 1-21 a code of ethics for their commissioners courts.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. This Act shall be cited as the J D Lambright
 1-24 Local Government Ethics Reform Act.

1-25 SECTION 2. Section 161.001, Local Government Code, is
 1-26 amended to read as follows:

1-27 Sec. 161.001. APPLICABILITY OF CHAPTER. This chapter
 1-28 applies only to:

1-29 (1) a county that:

1-30 (A) ~~[(1)]~~ has a population of 800,000 or more;

1-31 (B) ~~[(2)]~~ is located on the international
 1-32 border; and

1-33 (C) ~~[(3)]~~ before September 1, 2009, had a county
 1-34 ethics board appointed by the commissioners court;

1-35 (2) a county that:

1-36 (A) has a population of 425,000 or more;

1-37 (B) is adjacent to a county with a population of
 1-38 3.3 million or more; and

1-39 (C) contains a portion of the San Jacinto River;
 1-40 and

1-41 (3) a county that has a population of less than 40,000
 1-42 that is adjacent to a county with a population of more than 3.3
 1-43 million.

1-44 SECTION 3. Section 161.002(8), Local Government Code, is
 1-45 amended to read as follows:

1-46 (8) "County public servant" means a person elected,
 1-47 selected, appointed, employed, or otherwise designated as one of
 1-48 the following, even if the person has not yet qualified for or
 1-49 assumed the duties of office:

1-50 (A) a county officer or county employee;

1-51 (B) a person appointed by the commissioners court
 1-52 or a county officer to a position on one of the following, whether
 1-53 the position is compensated or not:

1-54 (i) an authority, board, bureau,
 1-55 commission, committee, council, department, district, division, or
 1-56 office of the county; or

1-57 (ii) a multi-jurisdictional board;

1-58 (C) an attorney at law or notary public when
 1-59 participating in the performance of a governmental function; or

1-60 (D) ~~[a candidate for nomination or election to an
 1-61 elected county office; or~~

2-1 [~~(E)~~] a person who is performing a governmental
2-2 function under a claim of right although the person is not legally
2-3 qualified or authorized to do so.

2-4 SECTION 4. Chapter 170, Local Government Code, is amended
2-5 by adding Section 170.002 to read as follows:

2-6 Sec. 170.002. CODE OF ETHICS FOR CERTAIN COMMISSIONERS
2-7 COURTS. (a) This section applies to a county that has a population
2-8 of less than 40,000 that is adjacent to a county with a population
2-9 of more than 3.3 million.

2-10 (b) The commissioners court of a county subject to this
2-11 section may adopt by order a code of ethics that provides standards
2-12 of conduct for members of the commissioners court.

2-13 (c) If a commissioners court of a county subject to this
2-14 section adopts a code of ethics under this section, the code of
2-15 ethics must require each member of the commissioners court to file a
2-16 conflicts disclosure statement that is in addition to the statement
2-17 required by Section 176.003.

2-18 SECTION 5. This Act takes effect immediately if it receives
2-19 a vote of two-thirds of all the members elected to each house, as
2-20 provided by Section 39, Article III, Texas Constitution. If this
2-21 Act does not receive the vote necessary for immediate effect, this
2-22 Act takes effect September 1, 2019.

2-23 * * * * *